

COURT UNITED STATES DISTRICT COURT  
COUNTY OF SOUTHERN DISTRICT OF NEW YORK  
CYBER CHAMPION INTERNATIONAL LIMITED

CASE  
~~FILED~~ No. 07 CV 9503 (LAK)

against  
CARLOS FALCHI, MARCOS FALCHI & XYZ COs.

Plaintiff(s)

Defendant(s)

**AFFIDAVIT OF  
SERVICE OF SUBPOENA**

IN A CIVIL CASE, PLAINTIFF'S  
NOTICE TO TAKE DEPOSITION UPON ORAL  
EXAMINATION PURSUANT TO F.R.C.P.  
RULE 30(b)(6)

STATE OF NEW YORK, COUNTY OF NEW YORK

SS: The undersigned, being duly sworn, deposes and says; deponent is not a

party herein, is over 18 years of age and resides at BROOKLYN, NEW YORK

That on 2/25/08 at 4:35 P.M., at 420 LEXINGTON AVENUE, NEW YORK, NEW YORK #300

deponent served the within subpoena on  
SEE ABOVE STATED DOCUMENTS

MICHAEL LICHTENSTEIN, ESQ.

witness therein named,

INDIVIDUAL

1. ☒

by delivering a true copy to said witness personally; deponent knew the person so served to be the witness described in said subpoena.

CORPORATION

2. ☐

a corporation, by delivering thereat a true copy to personally, deponent knew said corporation so served to be the corporation witness and knew said individual to be thereof.

SUITABLE AGE PERSON

3. ☐

by delivering thereat a true copy to a person of suitable age and discretion. Said premises is witness'—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO DOOR, ETC.

4. ☐

by affixing a true copy to the door of said premises, which is witness'—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find witness or a person of suitable age and discretion thereat, having called there

MAILING TO  
RESIDENCE  
USE WITH 3 OR 4

5A. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to witness at witness' last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO  
BUSINESS  
USE WITH 3 OR 4

5B. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to witness at witness' actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the witness.

DESCRIPTION  
USE WITH  
1, 2, OR 3

☒

<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input checked="" type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input checked="" type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input checked="" type="checkbox"/> 51-65 Yrs.	<input checked="" type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input checked="" type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

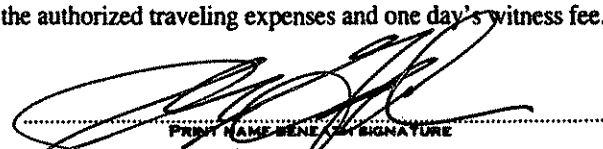
Other identifying features:

At the time of said service, deponent paid (tendered) in advance \$ 45.00

the authorized traveling expenses and one day's witness fee.

Sworn to before me on  
2/27/08

JOHN DICANIO  
Notary Public, State of New York  
No. 01D1497768  
Qualified in Westchester County  
Commission Expires Feb. 11, 2011

  
PRINT NAME HERE SIGNATURE  
JEROME E. GOLDMAN

License No. 1239192

SAO88 (Rev. 12/06) Subpoena in a Civil Case

**Issued by the**  
**UNITED STATES DISTRICT COURT**

SOUTHERN

DISTRICT OF

NEW YORK

CYBER CHAMPION INTERNATIONAL LIMITED

**SUBPOENA IN A CIVIL CASE**

V.

CARLOS FALCHI, MARCOS FALCHI &amp; XYZ COs.

Case Number:<sup>1</sup> 07 CV 9503 (LAK)

TO:

MICHAEL LICHTENSTEIN, ESQ. c/o Group L Consulting,  
420 Lexington Avenue, New York, New York 10170

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

- ☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

LAZARUS & LAZARUS, P.C.  
240 Madison Avenue, 8th Floor, New York, NY 10016

DATE AND TIME

3/14/2008 10:00 am

- ☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

See Appendix A attached hereto.

PLACE

LAZARUS & LAZARUS, P.C.  
240 Madison Avenue, 8th Floor, New York, NY 10016

DATE AND TIME

3/14/2008 10:00 am

- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

ISSUING OFFICER'S NAME/ADDRESS AND/PHONE NUMBER

Harlan M. Lazarus (Attorneys for Plaintiff)  
LAZARUS & LAZARUS, P.C. located at 250 Madison Avenue, 8th Fl., New York, NY 10016

(See Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), on next page)

<sup>1</sup> If action is pending in district other than district of issuance, state district under case number.